UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,903	03/03/2000	Shane M Rogers	NORT-0045-US(118569SCUS01	5600

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ART UNIT	PAPER NUMBER
2665	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/517,903	ROGERS ET AL.
		Examiner	**Art Unit**
		Steven HD Nguyen	2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *19 August 2005*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-7,9-31,35-45,48 and 51-54* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-7,9-31,35-45,48 and 51-54* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some * c) ☐ None of:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____.

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8/19/05*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1, 2, 5, 7, 9-12, 15-16, 20-25, 28-31, 36, 38-39, 42 and 51-54 are rejected under

35 U.S.C. 102(b) as being anticipated by Bell (USP 5594732).

Regarding claims 1 and 20, Bell discloses a telephone system comprising a digital

interface (Fig 1, Ref 150) for connection with a stimulus telephone (Fig 1, Ref 155); a packet

interface (Fig 1, Ref 140) for communicating with a packet-based network; and a controller (Fig

1, Ref 120) to receive stimulus control information according to a stimulus language from the

digital interface and to encapsulate the stimulus control information "private signaling message"

into one or more packets for transmission over the packet-based network through the packet

interface wherein the stimulus control information is encapsulated into the one or more packets

without providing messaging according to a language different from the stimulus language in the

one or more packets (See col. 8, lines 44-64).

Regarding claim 2, Bell discloses the controller encapsulates the stimulus control

information into an Internet Protocol packet (Col. 9, lines 7-9).

Regarding claim 5, Bell discloses the controller adds a destination address of a telephone

switch system into the one or more packets (See col. 8, lines 44-64).

Regarding claim 7, Bell discloses information remains in the stimulus language after encapsulation (See col. 8, lines 44-64).

Regarding claim 9, Bell discloses the controller encapsulates the stimulus control information by adding header information according to a network protocol in the one or more packets, the stimulus control information encapsulated in the payload section of the one or more packets without providing messaging of a language different from the stimulus language in the payload section (See col. 8, line 44 to col. 9, lines 9, UDP/IP header).

Regarding claim 10, Bell discloses the network protocol header information includes an Internet Protocol header (See col. 8, line 44 to col. 9, lines 9, UDP/IP header).

Regarding claim 11, Bell discloses the controller adds further header information according to a transport protocol into the one or more packets (See col. 8, line 44 to col. 9, lines 9, UDP header).

Regarding claim 12, Bell discloses header information includes a User Datagram Protocol header (See col. 8, line 44 to col. 9, lines 9, UDP header).

Regarding claim 15, Bell discloses a receiver to receive the one or more packets, the receiver including an element to decapsulate the one or more packets to extract the stimulus control information (See col. 8, lines 44-64).

Regarding claim 16, Bell discloses the receiver is associated with a second stimulus device, and wherein the extracted stimulus control information is in a native stimulus language of the second stimulus device (See col. 8, lines 44-64).

Regarding claim 21, Bell discloses decapsulating one or more packets received from the packet interface and containing stimulus control information; and transmitting the stimulus

control information of the decapsulated one or more packets to the first interface (See col. 8,

lines 44-64).

Regarding claim 22, Bell discloses encapsulating the stimulus control information

includes inserting the stimulus control information in its native stimulus language into a payload

of the at least one packet without translating the stimulus control information into a different

language and without providing the stimulus control information in messaging according to a

language different from the native stimulus language (See col. 8, lines 44-64).

Regarding claim 23, Bell discloses encapsulating the stimulus control information

includes adding a network protocol header to the stimulus control information (Col. 9, lines 7-9).

Regarding claim 24, Bell discloses encapsulating the stimulus control information

includes adding an Internet Protocol header (Col. 9, lines 7-9).

Regarding claim 25, Bell discloses encapsulating the stimulus control information further

includes adding a User Datagram Protocol header (See col. 8, line 44 to col. 9, line 9, UDP

header).

Regarding claim 28, Bell discloses an article including one or more machine-readable

storage media containing instructions for call control in a telephony system, the instructions

when executed causing a device to receive stimulus control information according to a stimulus

language from a first interface (Fig 1, Ref 150) connected to a stimulus telephone (Fig 1, ref

155); encapsulate the stimulus control information into one or more UDP/IP packets, wherein the

stimulus control information is encapsulated into the one or more UDP/IP packets without

providing functional messaging according to a language different from the stimulus language in

the one or more UDP/IP packets; and communicate the one or more UDP/IP packets to a packet-

based data network (Fig 1, ref 145 and See col. 8, line 44 to col. 9, line 9).

Regarding claim 29, Bell discloses the one or more storage media contain instructions

that when executed causes the device to receive a packet containing stimulus control information

according to the stimulus language; decapsulate the packet to extract the stimulus control

information from the received packet; and communicate the extracted stimulus control

information to the first interface (col. 8, line 44 to col. 9, line 9).

Regarding claim 30, Bell discloses a data signal embodied in a carrier wave and

containing instructions for call control in a telephony system, the instructions when executed

causing a device to receive at least one packet containing a stimulus message according to a first

Language, wherein the received at least one packet does not contain messaging according to

another telephony language different from the first language; decapsulate the at least one packet

to extract the stimulus message according to the first language; and send the stimulus message

according to the first language to a first interface (Fig 1, Ref 150) connected to a stimulus

telephone (Fig 1, ref 155 and col. 8, line 44 to col. 9, line 9).

Regarding claim 31, Bell discloses containing instructions that when executed causes the

device to receive a stimulus message according to the first language through the first interface

(Fig 1, Ref 150) connected to the stimulus telephone 9Fig 1, ref 155); and encapsulate the

stimulus message according to the first language into at least one packet (col. 8, line 44 to col. 9,

line 9).

Regarding claim 36, Bell discloses the digital interface is adapted to exchange the

stimulus control information with the stimulus telephone (col. 8, line 44 to col. 9, line 9).

Regarding claim 38, Bell discloses a receiver to receive one or more inbound packets containing inbound stimulus control information, the controller to decapsulate the one or more inbound packets to extract the inbound stimulus control information (col. 8, line 44 to col. 9, line 9).

Regarding claims 39 and 42, Bell discloses an apparatus for use in a telephony system comprising a digital interface (Fig 1, Ref 150) for connection with a stimulus telephone (Fig 1, Ref 155) a packet interface (Fig 1, Ref 140) for communicating with a packet-based network (Fig 1, Ref 145), a controller (Fig 1, Ref 120) to receive stimulus control information from the digital interface and to encapsulate the stimulus control information into one or more packets for transmission over the packet-based network through the packet interface and a receiver to receive one or more inbound packets containing inbound stimulus control information, the controller to decapsulate the one or more inbound packets to extract the inbound stimulus control information (col. 8, line 44 to col. 9, line 9), wherein each of the one or more inbound packets contains a User Datagram Protocol (UDP) port number, the controller to determine from the UDP port number whether the corresponding inbound packet contains voice data or stimulus control information (Col. 12, lines 1-27).

Regarding claim 51, Bell discloses the digital interface is adapted to communicate with the stimulus telephone through an input/output port of the stimulus telephone (col. 8, line 44 to col. 9, line 9).

Regarding claim 52, Bell discloses communicating the stimulus control information comprises communicating the stimulus control information through the first interface and an input/output port of the stimulus telephone (col. 8, line 44 to col. 9, line 9).

Regarding claim 53, Bell discloses receiving the stimulus control information according

to the stimulus language comprises receiving the stimulus control information according to the

stimulus language through the first interface and an input/output port of the stimulus telephone.

(col. 8, line 44 to col. 9, line 9).

Regarding claim 54, Bell discloses sending the stimulus message comprises sending the

stimulus message to the first interface and an input/output port of the stimulus telephone. (col. 8,

line 44 to col. 9, line 9).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bell in view of

Chang (USP 6118864).

Bell fails to disclose the digital interface is UART. However, in the same field of

endeavor, Chang discloses an interface for UART (Fig 1D wherein the central office or PBX is

link with the gateway by UART interface 56 for transmitting the telephone number between

them). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply UART into a gateway for receiving and transmitting a signal as

disclosed by Chang into the method and system of Bell in order to reduce cost.

5.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bell in view of

Nizamuddin (USP 5136585).

Bell fails to disclose the digital interface is TCM. However, in the same field of

endeavor, Nizamuddin discloses interface for connecting the telephones is TCM interface for

receiving signal (FIG 1, Ref 12). Therefore, it would have been obvious to one of ordinary skill

in the art at the time of the invention was made to apply TCM interface into a gateway for

receiving and transmitting a signal as disclosed Nizamuddin into the method and system of Bell

in order to provide a ping pong transmission.

6.   Claims 6, 17-18, 37, 41 and 43-45 rejected under 35 U.S.C. 103(a) as being unpatentable

over Bell (USP 5594732) in view of Curry (USP 6078582).

Regarding claim 6, Bell fails to disclose the controller adds a destination address of a

stimulus telephone into the one or more packets, Curry discloses the controller adds a

destination address of a stimulus telephone into the one or more packets (Col. 15, lines 15-44,

calling number). Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention was made to apply a method for adding destination address of a telephone

into the packet as disclosed by Curry into Bell's system. The motivation would have been to

reduce cost of the telephone system.

Regarding claims 17-18, 37, 41 and 43-45, Bell fails to disclose the claimed invention.

However, in the same field of endeavor, Curry discloses the stimulus control information

includes at least one of hook state information and key press event information and a command

selected from the group consisting of a handset volume control command, a handset

connect/disconnect command, and a ringer activation command which is encapsulated by the

controller (Col. 14, lines 9-17 and Fig 9, 136 and 146). Therefore, it would have been obvious to

one of ordinary skill in the art at the time of the invention was made to apply hook state, key

press as disclosed Curry into Bell's system. The motivation would have been to reduce cost of

the telephone system.

7.   Claims 13, 26 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bell

in view of Naor (USP 6275573).

        Bell discloses apparatus for use in a telephony systems comprising a digital interface (Fig

1, Ref 150) for connection with a stimulus telephone (Fig 1, Ref 155); a packet interface (Fig 1,

Ref 140) for communicating with a packet-based network (Fig 1, Ref 145); and a controller (Fig

1, Ref 120) to receive stimulus control information from the digital interface and to encapsulate

the stimulus control information into one or more packets for transmission over the packet-based

network through the packet interface (col. 8, line 44 to col. 9, line 9). Bell fails to disclose the

stimulus message is scrambled. However, in the same field of endeavor, Naor discloses a

method and system for encrypting "scrambling" digits before transmitting (Fig 1, Ref 34).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to apply encrypting circuit into a gateway as disclosed Naor's system into

the method and system of Bell. The motivation would have been to provide a security for the

information in the packets, which transmit via Internet.

8.   Claims 14 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bell in

view of Wilkes (USP 6438124).

        Bell fails to disclose a method for encrypting the packets. However, in the same field of

endeavor, Wilkes discloses the packet, which is transmitted via Internet, is digitized, compressed

and encrypted (See Abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply these scrambling or encrypting into a gateway for receiving and transmitting a signal as disclosed by Wilkes into the method and system of Bell. The motivation would have been to provide a security for packets that transmit via Internet.

9.   Claims 35 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bell in view of Kubler (USP 6389010).

Bell fail to disclose an interface card adapted to be inserted into a slot of the stimulus telephone that comprises the digital interface and the packet interface and the controller. However, in the same field of endeavor, Kubler discloses integrate the digital interface and the packet interface and the controller into a circuit broad for plug into a slot of telephone (Fig 57 and Col. 92, lines 30-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to integrate these component into a PCMCIA for inserting into a telephone slot as disclosed by Kubler into the method and system of Bell. The motivation would have been reduce the cost of telephone call.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Huy D. Vu can be reached on (571) 272-3155. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven HD Nguyen
Primary Examiner
Art Unit 2665
11/11/05